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| <b>EXPRESS ABANDONMENT UNDER 37 CFR § 1.138</b><br><br><b>TO:MAIL STOP EXPRESS ABANDONMENT</b><br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Appln. No.           | 10/599,446         |
|  | Filing Date          | February 8, 2007   |
|  | First Named Inventor | Yoshinori MORIYAMA |
|  | Art Unit             | 1651               |
|  | Examiner Name        | Kade Ariani        |
|  | Docket Number        | Q97450             |
| Title FUNCTIONAL FOOD FOR AMELIORATING ENDOGENOUS MELATONIN SECRETION RHYTHM AND FUNCTIONAL FOOD FOR AMELIORATING CIRCADIAN RHYTHM                                       |                      |                    |

Please **check only one** of boxes 1 or 2 below:

*(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)*

1. ☐ **Express Abandonment**  
 I request that the above-identified application, but not the invention disclosed therein, be expressly abandoned as of the filing date of this paper.
2. ☒ **Express Abandonment in Favor of a Continuing Application**  
 I request that the above-identified application, but not the invention disclosed therein, be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See MPEP § 711.01.

**TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.**

I am the: ☐ applicant.

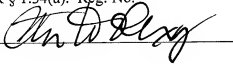
☐ assignee of record of the entire interest. See 37 CFR § 3.71.

Statement under 37 CFR § 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Reg. No. 24,513

☐ attorney or agent acting under 37 CFR § 1.34(a) (may act under 37 CFR § 1.34(a) only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR § 1.34(a). Reg. No.

/Peter D. Olexy/  
Signature



December 7, 2007  
Date

Peter D. Olexy  
Typed or printed name

202 663-7060  
Telephone Number

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ **Total of 1 form is submitted.**